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US BANKRUPTCY COURT
DISTRICT OF DELAWARE

FTX TRADING LTD., et al., (Debtors.)

Chapter 11, Case No. 22-11068 (JTD)

DEBTORS' TWELFTH (SUBSTANTIVE) OMNIBUS OBJECTION TO CERTAIN

OVERSTATED PROOFS OF CLAIM (CUSTOMER CLAIMS)

Hearing Date: February 22, 2024 at 1:00 P.M. ET

Objection Deadline: February 9, 2024 at 4:00 P.M. ET

Claimant Name: Momentum Trading GmbH

Claim Number: 48781

OBJECTION:

The claim included a typographical error due to European spelling, which resulted in misplaced decimal points. The correct amount of the claim is 130,467.99 EUR (in words: onehundred-thirtythousand-fourhundred-sixtyseven EUR and ninety-nine cents) or an equivalent sum in other currency.

General remark: On all attachments every date is written in European spelling (Day, Month, Year). For the sake of traceability this text follows the European spelling of dates as well.

On 7.11.2022, 15:36:30 GMT+0100, FTX accounts of Momentum Trading GmbH showed a positive balance that meets the abovementioned amount, as can be seen on **attachment no. 1** "Historical balance 7.11.2022".

Momentum Trading GmbH made a withdrawal attempt in the amount of 90,000 EUR (in words: ninetythousand EUR) on 7.11.2022. **Attachment no. 2** "FTX withdrawals 7.11.2022" shows a completed bank transfer at 15:36:46 GMT+0100 in the respective amount, but also shows that the referring bank account number is missing.

For that reason, FTX customer support has been contacted. **Attachment no. 3** is a screenshot of the customer support's reply on 7.11.2022, which says the funds have been sent to the correct bank account at Penta/Solaris SE Bank. If this information were correct Momentum Trading GmbH should wait up to five business days for the funds to arrive.

Since the withdrawal did not arrive on the communicated bank account of Momentum Trading GmbH during the stated period (**attachment no. 4** "Bank account statement 15.11.2022") the FTX customer support has been contacted once again as can be read on **attachment no. 5** "Funds still missing 11.11.2022". This message was left unanswered by the FTX customer support.

Meanwhile, Momentum converted all remaining currencies on its FTX account into 40,467.99 EUR (in words: fortythousand-fourhundred-sixtyseven EUR and ninety-nine cents) and as can be seen on the respective screenshot (**attachment no. 6** "FTX account EUR 11.11.2022").

Afterwards the website was not available anymore and the Chapter 11 proceedings started.

Because the funds never arrived at the bank account of Momentum Trading GmbH, a research request has been made (see **attachment no. 7** "Bank account research request"). The answers state clearly that there would be records in the Penta/Solaris SE Bank's records if a receipt or a rejection of the money had taken place (attachment no. 8a "Bank account research answer" and 8b "Bank account research answer"). None of it can be found in the records to this date.

Conclusion:

The modified claim set by the debtors is the equivalent of 40,467.99 EUR.

The modified claim set by the debtors is lacking 90,000 Euro (in words: ninetythousand EUR).

I declare that the foregoing is true and correct to the best of my knowledge and belief.

Please don't hesitate to contact me to resolve this issue.



Berlin, 29.1.2024

Roman Hemetsberger, Momentum Trading GmbH

Momentum Trading GmbH (Creditor, claimant)

c/o Roman Franz Hemetsberger

Wuehlischstr. 24

10245 Berlin, Germany

mail@romanhemetsberger.de

0049 179 9950391

Attachments:

- no.1 "Historical balance 7.11.2022" (screenshot)
- no.2 "FTX withdrawals 7.11.2022" (screenshot)
- no.3 "Withdrawal confirmed by support 7.11.2022" (screenshot)
- no.4 "bank account statement 15.11.2022" (screenshot)
- no.5 "Funds still missing 11.11.2022" (screenshot)
- no.6 "FTX account EUR 11.11.2022" (screenshot)
- no.7 "Bank account research request" (screenshot)
- no.8a "Bank account research answer" (screenshot)
- no.8b "Bank account research answer" (screenshot)

Attachment: no.1 "Historical balance 7.11.2022" (screenshot)



Historical balances on FTX Cryptocurrency Derivatives Exchange at Mon Nov 07 2022 15:36:30 GMT+0100
(Mitteleuropäische Normalzeit)
Name: Momentum Trading GmbH
Email: mail@romanhemetsberger.de
Accounts: main, Alt-Mom-Bot

Note: most account histories will be correct, but some may not be. We do not promise correctness or that these will reconcile with your accounting methods, nor will it always be easy for us to debug the difference.







Account	Item	Size	Mark price (for positions)	Approximate time
Alt-Mom-Bot	USD	19.727,30170870		7.11.2022, 15:36:30
main	USD	30.967,00659912		7.11.2022, 15:36:30
main	BTC	0,000000000		7.11.2022, 15:36:30
main	FTT	29,99572500		7.11.2022, 15:36:30
main	EUR	90.000,00000001		7.11.2022, 15:36:30

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FTX Services and FTX Token (FTT) are not available in the United States or other prohibited jurisdictions.

Services for this product are facilitated through FTX Trading Ltd and/or FTX Digital Markets Ltd.





17:16
11.11.2022

Attachment: no.2 "FTX withdrawals 7.11.2022" (screenshot)

FTX Markets More Help Search market Deposit Wallet Orders Momentum Trading GmbH

FTX is currently unable to process withdrawals. We strongly advise against depositing.

Total Net USD Value $\approx 40.933,75 \$$
 -77168,57 \$ (-65.34%) last week
 Range: 20.113,27 \$ - 123.718,28 \$

Deposit Withdraw Convert Send Margin Borrows Margin Lending

Manage Saved Addresses View All Account Balances Hold FTT Up to 50% FTX trading fee discount

Missing Deposit Help NFTs

Subaccount: Main Account Alt-Mom-Bot

Balances Deposits **Withdrawals** Positions Fills Conversions Collateral Explorer P2P Transfers

Withdrawals

Time	Coin	Amount	Destination	Status
9.11.2022, 20:58:43	EUR	20.000 EUR	Bank transfer	Cancelled
8.11.2022, 21:10:18	EUR	20.459,39 EUR	Bank transfer	Cancelled
7.11.2022, 15:36:46	EUR	90.000 EUR	Bank transfer	Complete
13.7.2022, 17:00:16	EUR	30.000 EUR	Bank transfer to ****7479	Complete
5.1.2022, 18:45:15	EUR	20.000 EUR	Transfer from main account to Alt-Mom-Bot	Complete
5.1.2022, 18:40:26	EUR	19.275,82135376 EUR	Bank transfer to ****7479	Complete

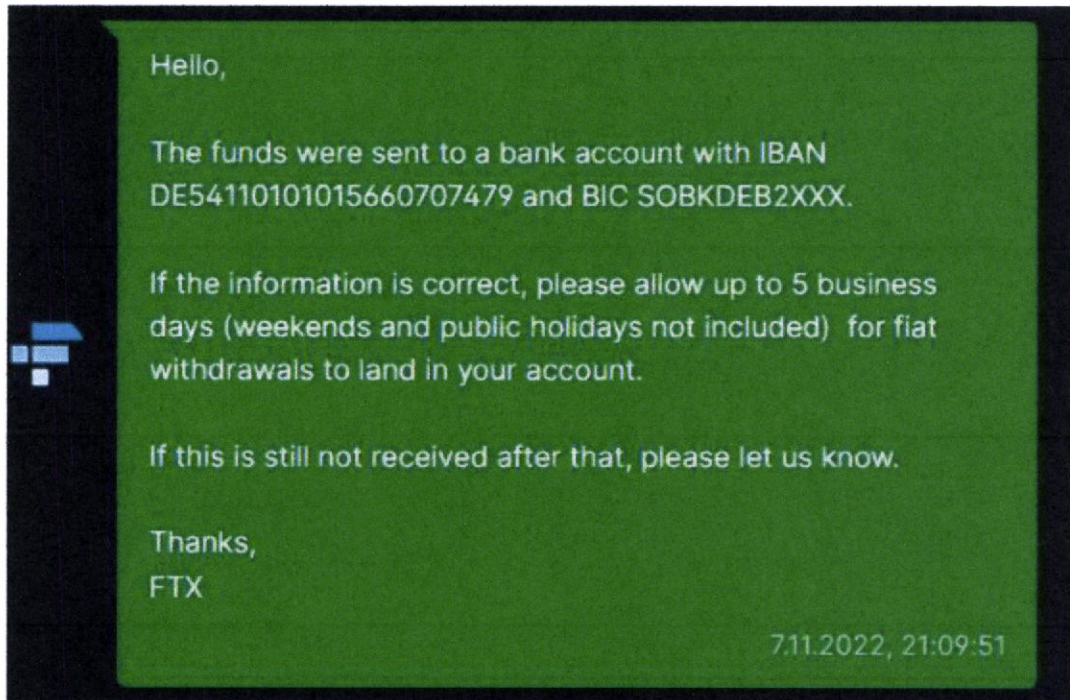
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 Services for this product are facilitated through FTX Trading Ltd and/or FTX Digital Markets Ltd.

23.06 09.11.2022

Attachment: no.3 "Withdrawal confirmed by support 7.11.2022" (screenshot)



no.4 "bank account statement 15.11.2022" (screenshot)

Attachment:

Kontobewegungen | Penta

https://app.getpenta.com/home

ROMAN FRANZ HE...
Momentum Trading GmbH

15.978,72 €
Kontostand

Hauptkonto
15.978,72 €
DE54 1101 0101 5660 7074 79

Kontobewegungen

Überweisungen

Lastschriften

Nutzer & Karten

Meine Karte

Konten

Buchhaltung

Finanzierung

Administration

Penta empfehlen

Prämien

Export

Kontoauszug







Verwendungszwecke

Vergangene Zahlungen

← Hemetsberger Roman Franz 15.11.2022	Löhne und Gehälter	- 2.164,59 EUR
← Finanzamt fuer Koerperschaften II 15.11.2022	Steuern (das Unternehmen b...	- 335,41 EUR
← IHK 15.11.2022	Steuern (das Unternehmen b...	- 64,00 EUR
← Penta Fintech GmbH 08.11.2022	Dienstleistungen	- 10,71 EUR
← TRADE TRAVEL CHILL 02.11.2022	Fortbildungen	- 36,94 EUR
← Vodafone GmbH 02.11.2022	Büro betreffend	- 52,98 EUR
← Alexander Zellmann 21.10.2022	Steuern (das Unternehmen b...	- 392,70 EUR

12:52
15.11.2022

Attachment: no.5 "Funds still missing 11.11.2022"

 Markets ▾ More ▾

FTX is currently unable to process withdrawals. We strongly advise against depositing. Deposits of TRX, BTT, JST, SUN, and HT are disabled.

All onboarding of new clients has been suspended until further notice.

We have reached [an agreement](#) with Tron to establish a special facility to allow holders of TRX, BTT, JST, SUN, and HT to swap assets from FTX 1:1 to external wallets. This functionality will be enabled at 18:30 UTC, November 10, 2022.

Support

Tickets > confirmed sepa withdrawal

confirmed sepa withdrawal

#1218125

Fiat withdrawal

CLOSE TICKET

Hello!

On monday, 7.11.22 you confirmed my 90k Euro sepa withdrawal. You confirmed, the funds were sent to my bank account and could take up to 5 business days. Today is friday, i called my bank and they told me they didnt receive a sepa transaction, which would usually take one business day. Would you mind providing more detailed information about the transaction (what bank, time..) so they can see what is going on?





I hope the transaction went through before your liquidity crisis, and has been fully processed as you confirmed.

sincerely,

Roman Franz Hemetsberger

Momentum Trading GmbH

11.11.2022, 18:02:19



18:03
11.11.2022

Attachment: no.6 "FTX account EUR 11.11.2022" (screenshot)

FTX Markets More Help Search market Deposit Wallet Orders Bell Settings Profile

FTX is currently unable to process withdrawals. We strongly advise against depositing. Deposits of TRX, BTT, JST, SUN, and HT are disabled.

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Total Net USD Value

≈ 41.503,97 \$

-78.509,70 \$ (-65.42%) last week
Range: 20.113,27 \$ - 123.718,28 \$

Deposit Withdraw Convert Send Margin Borrows Margin Lending

Manage Saved Addresses > Missing Deposit Help >

View All Account Balances > NFTs >

Hold FTT >
Up to 60% FTX trading fee discount

Subaccount: Main Account Alt-Mem-Bot + <

Balances Deposits Withdrawals Positions Fills Conversions Collateral Explorer P2P Transfers

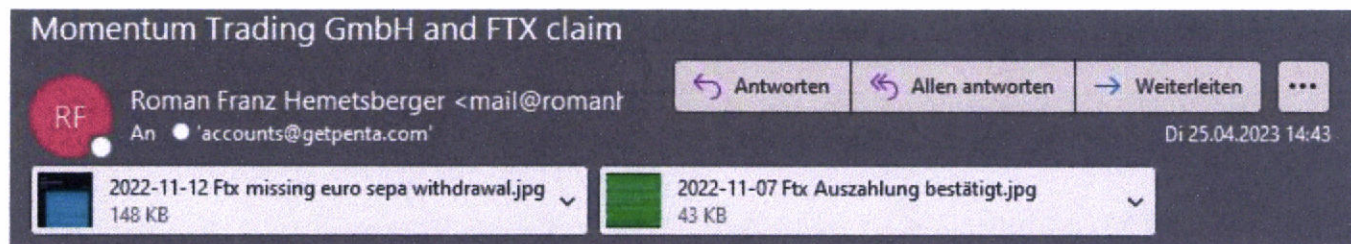
ALL BALANCES CRYPTO LEVERAGED TOKENS FIAT TOKENIZED STOCKS CONVERT DUST CARD DEPOSIT

Balances Hide zero balances

Coin	Balance	Available Balance	USD Value	
USD (USD)	0,00	0,00	0,00 \$	Deposit Withdraw Convert Lend@99 %
USD Stablecoins (USDC, TUSD, USDP, BUSD)				Deposit Withdraw Convert Lend@99 %
EUR Stablecoins (EUROC)				Deposit Withdraw Convert Lend@20 %
Euro (EUR)	40.467,99	40.467,99	41.503,97 \$	Deposit Withdraw Convert Lend@20 %
USD Tether (USDT)				Deposit Withdraw Convert Lend@29 %
Bitcoin (BTC)			0,00 \$	Deposit Withdraw Convert Lend@0,88 %
FTT (FTT)			0,00 \$	Deposit Withdraw Convert Stake
Ethereum (ETH)				Deposit Withdraw Convert Lend@10 %
Bitcoin Cash (BCH)				Deposit Withdraw Convert Lend@2 %
Litecoin (LTC)				Deposit Withdraw Convert Lend@10 %

16:20
11.11.2022

Attachment: no.7 "bank account research request" (screenshot)



Dear Penta Account Team,

my name is Roman Hemetsberger, I am the owner of Momentum Trading GmbH, that has an account with iban DE54110101015660707479 at penta bank. As you know, due to the fact that penta bank has been bought by quonto bank, the account will be closed in the next days. So I have to make sure I have all the documentation I need. I would be grateful for your help.

Unfortunately, Momentum Trading GmbH was also a customer of FTX Trading Ltd, the cryptocurrency exchange that went bankrupt in November 2022. Momentum opened the Ftx account in 2021 and sent two initial deposits of 50k € to the FTX account (LT85 3220 0200 0082 9000). In 2022, there have been two transactions from FTX to penta, using Deltec Bank Trust Limited ("Alameda Research Ltd", IBAN LT47 3220 0200 0082 9005) and UAB NIUM EU * FTX Trading LTD (LT59 3590 0100 0000 0000).

On 7.11.22, a few days before FTX was insolvent, i tried to make a sepa withdrawal of 90.000 € from FTX to penta, which was confirmed, but never arrived (screenshots attached). I called the penta hotline. They told me, nothing arrived on their end, maybe they could investigate if FTX would send me more detailed information. I asked Ftx, but they didn't answer and shortly afterwards, their website was taken down.

Now, as a debtor to FTX, I have a large claim. So, could you please look into the matter for the very last time? Did the mentioned amount of 90k € arrive at my account, at penta or at any related account or bank? Could it be possible that it has been sent back? Can you confirm that if the sepa withdrawal had been sent from FTX/Alameda, it would have arrived at my penta account or at least you would have noticed?

I saved my account statements, but if you can confirm and provide written information, it may help me to prove my claim to FTX.

Sincerely,
Roman Franz Hemetsberger

Momentum Trading GmbH
c/o Hemetsberger
Wühlischstraße 24
10245 Berlin
+49 179 9950391

mail@romanhemetsberger.de
Handelsregister: HRB 232448 B
Registergericht: Amtsgericht Charlottenburg
Geschäftsführer: Roman Franz Hemetsberger

Attachment: no.8a "bank account research answer" (screenshot)



Good evening dear Roman,

Thank you for your inquiry.

I have requested meaningful payment confirmations for the four incoming and outgoing transactions you mentioned. I also initiated an investigation by the responsible department for the expected transaction you mentioned. There is no possibility of proving that the payment has not been made. If the amount had been sent, there would be a record of it in Solaris' system.

Solaris SE is expected to ask me for more detailed evidence in order to have sufficient material for an investigation. I have explained to them your concern and your intention behind the initiation of the investigation to assert your claims.

As soon as I have news about the investigation or the individual payment confirmations, I will contact you immediately with these.

If you have any further questions or concerns, please feel free to contact me at any time in the meantime.

Best regards

PENTA
by Qonto

Milan
Customer
Relations
Manager

Penta Fintech GmbH
Warschauer Platz 11-13, 10245 Berlin | Amtsgericht Charlottenburg | HRB 180354 B
Geschäftsführer: Alexander Probst, Tobias Bahr, Lukas Zörner

Attachment: no.8b "bank account research answer" (screenshot)



Dear Roman,

Thank you for your patience.
Unfortunately, Solaris SE is not able to fulfill your request.
Proof of non-payment cannot be provided.

Best regards

PENTA
by Qonto

Milan
Customer
Relations
Manager

Penta Fintech GmbH
Warschauer Platz 11-13, 10245 Berlin | Amtsgericht Charlottenburg | HRB 180354 B
Geschäftsführer: Alexander Probst, Tobias Bahr, Lukas Zörner

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Bankruptcy court for the District of Delaware

19801 WILMINGTON

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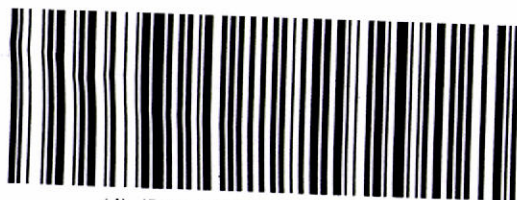


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